

Appl. No. 10/567,805  
Amdt. Originally Dated April 25, 2008

Reply to Office Action of January 25, 2008  
Attorney Docket 18214

# **REMARKS**

Claims 1 and 3-13 are currently pending for examination. Claim 1 is currently amended and claim 2 was canceled. No new matter is added. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing remarks.

## **Rejection of Claims under 35 U.S.C. §102**

Claim 1-13 was rejected by the previous Office Action under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,996,341 to Tohji (hereinafter referred to as "Tohji").

Claim 1 recites a hydraulic control system for a construction vehicle having at least one main control block forming several sections with spool valves located therein. Pressure may be applied in the system by a first pump and a second pump for the supply of hydraulic fluid to the hydraulic loads in series through the spool valves to a fluid tank and a first pair of pump ducts. The block has a second pair of additional pump ducts, parallel to the first pair of pump ducts that do not pass through the spool valves and ensure an additional parallel supply to the hydraulic loads through the spool valves.

In contrast, Tohji discloses a hydraulic control circuit for an excavator having a spool valve used for the boom. The spool valve has a communications port P for receiving main pressure oil from a pump. The valve however is only capable of being supplied by one pump. The additional ports noted in the office action Port C1 communicates with a bottom side oil chamber while C2 communicates with a rod-side oil chamber. The spool valve also has a locking valve 47 and a port T to the

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tank. Tohji does not disclose a system with a control block where pressure can be supplied by a first pump to a first port and a second pump to a second port for the supply of hydraulic fluid to the loads in series through spool valves to a fluid tank and then a second pair of additional pump ducts, parallel to the first and second pump ducts, that do not pass through the spool valves and ensure an additional parallel supply to the hydraulic loads through the spool valves. This prevents the block of Tohji from allowing both a first pump and a second pump to each feed one series duct and one parallel duct.

Accordingly, allowance of claim 1 is respectfully requested. Claims 3-13 depend from claim 1 and as such should be allowed for at least the same reasons of allowability of claim 1 as presented above.

Claim 3 is further separately patentable as Tohji does not disclose a first bypass duct connecting the pump ducts with the respective spool valve and a second bypass duct connecting the additional pump ducts with the respective spool valve. The bypass ducts selected in Tohji in the previous Office Action do not appear to connect multiple ducts as recited.

### Conclusion

Applicants respectfully submit that claims 1 and 3-13 define patentable subject matter. A Notice of Allowance is therefore respectfully requested.

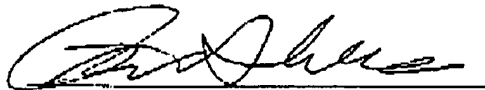
No fee is believed due with this communication. Nevertheless, should the Examiner consider any fees to be payable in conjunction with this or any future communication, authorization is given to direct payment of such fees, or credit any

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overpayment to Deposit Account No. 14-0780. The Examiner is invited to contact the undersigned by telephone if it would help expedite matters.

Respectfully submitted,



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